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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Akira NAKAGAWARA et al.

Application No.: 10/570,346

Filed: March 3, 2006

Attorney Docket No.: 7388/88083

Confirmation No.: 1857

Customer No.: 42798

**RESPONSE TO DECISION DATED 14 NOVEMBER 2006 (PCT BRANCH)**

MAIL STOP PCT  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants herewith respond to the November 14, 2006 Decision issued by the PCT Legal Office concerning the captioned application.

The PCT Legal Office raised a question concerning the second-named inventor, specifically whether his name was Toshinori Ozaki or Toshifumi Ozaki.

Applicants respectfully request acceptance of the Oath and Declaration as filed herein on June 6, 2006. The Declaration as filed lists the second-named inventor as Toshinori Ozaki, and said inventor executed the Oath and Declaration consistent therewith.

To address the PCT Legal Office's inquiry concerning the proper English name for the second-named inventor, please find attached a Declaration of Shigeo Ota and a Declaration of Toshinori Ozaki. As these two Declarations attest, the second-named inventor is properly named in the English language as Toshinori Ozaki. Any mistake resulted from mis-interpretation or transliteration from the Japanese/Chinese characters for the second-named inventor when filing

the PCT application, and the transliterated name was not discovered until the National Phase Applications, specifically this U.S. National Phase Application, were being prepared.

All matters were handled innocently, in good faith and without any deceptive intent. It is respectfully requested that the PCT Legal Office consider the two Declarations as sufficient showing that the second-named inventor is properly identified in the English language as Toshinori Ozaki.

A further Decision is requested along the foregoing lines, and thereafter please forward the application to an Examiner to be queued up for examination.

If the PCT Legal Office has any questions, kindly telephone the undersigned.

It is not seen that a formal petition is necessary at this time with respect to the transliteration oversight with respect to the second-named inventor, but if such petition is necessitated, then such petition is hereby contingently made, and any such fees for such contingent petition, if necessary, can be charged to our Deposit Account 06-1135 regarding our Order No. 7388/88083.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY



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Kendrew H. Colton  
Registration No. 30,368

Date: **January 10, 2007**

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